

GENERAL ORDINANCES

ARTICLE ONE- REGULATION OF PERSONAL PROPERTY ON OR WITHIN THE CITY LIMITS OF THE VILLAGE OF LAKE PARK

The General Ordinance provisions are enacted by the Village of Lake Park pursuant to North Carolina General Statute Section 160A-174 for purposes of defining, prohibiting, regulating or abating acts, omissions, or conditions which are detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the village.

SECTION ONE- DEFINITIONS

(A) General Rule- Words and phrases shall be taken in their plain, or ordinary and usual sense. However, technical words and phrases having a peculiar and appropriate meaning in law shall be understood according to their technical import.

(B) For the purposes of this code the following definitions shall apply unless the context clearly indicates or requires a different meaning.

COMMON AREA. Any area that is designated as a common area on the most recent survey, plat or map of the property in question contained within the office of the Clerk for the Village of Lake Park.

PERSONAL PROPERTY. Any property which is not considered real property. Real property is land and anything affixed to it or a part of it, such as buildings, fences, water, growing things and minerals in the ground. All other property shall be considered personal and shall include but not be limited to motor vehicles, motor propelled conveyances, portable basketball goals, athletics equipment, and furniture of any type.

PLACING, LEAVING OR ABANDONING PERSONAL PROPERTY OTHER THAN MOTOR PROPELLED CONVEYANCES, BOATS OR TRAILERS. Any act which causes an item of personal property, excluding any motor propelled conveyance(whether operational or not), boat or trailer, to be placed in the same or substantially similar location for a period of 24 hours or for any time period without the supervision of its owner. Any motor propelled conveyance (whether operational or not), boat or trailer shall be subject to the provisions regarding prohibited acts set forth herein below and the definition of placing, leaving or abandoning set forth herein below.

PLACING, LEAVING OR ABANDONING MOTOR PROPELLED CONVEYANCES, BOATS OR TRAILERS. Any act which causes a motor propelled conveyance, boat or trailer to be placed for any time period, whether or not operational and whether or not under the supervision of its owner, in any common area of the Village or in any park of the Village.

SECTION TWO- PROHIBITIONS

(A). It shall be unlawful to place, leave, or abandon or cause to be placed, left or abandoned any personal property at the following locations:

- (1). On a sidewalk;
- (2). On a crosswalk;
- (3). In any park;
- (4). In any designated common area of the Village;
- (5). In or on the space between a sidewalk and a public street; or
- (6) On any island area that separates traffic flowing in opposite directions.

(B). The provision set out in subsection (A) above applies to any portion of personal property that is in or on any of the designated areas set out herein above.

(C). It shall be unlawful to leave, place or abandon or cause to be placed, left or abandoned as defined in the definitions section above any motor propelled conveyance, boat or trailer within the city limits of the Village.

(D). Each day of continuing violation shall be a separate and distinct offense.

SECTION THREE- ENFORCEMENT

(A). The Village of Lake Park shall request that local law enforcement administer and enforce the terms of this Article. A warning, either verbal or written, shall be issued upon a first incident. A citation for a second or subsequent violation shall be issued. Nothing in this Chapter shall be construed to limit the legal authority or powers of local law enforcement in enforcing other laws or in otherwise carrying out their duties.

(B). Upon the issuance of a warning the personal property in question shall be immediately removed by its owner(s) and taken to a location that is not in violation of the provisions of this chapter or in violation of the restrictive covenants of the Village of Lake Park.

(C). Violation of this ordinance is as is provided for in North Carolina General Statute Section 14-4. The maximum fine for a violation shall be \$100.00.

SECTION FOUR- CONFLICT OF LAWS

If any portion of this ordinance or the enforcement thereof is found to be preempted by any state or federal law, such preemption shall not operate to invalidate the rest of the ordinance and the same shall remain in full force and effect.

SECTION FIVE- SEVERABILITY

If any part of this ordinance or the application thereof to any person or condition is held invalid such invalidity shall not affect other parts of this ordinance or their application to any other persons or condition, and to this end, the provisions of this ordinance are hereby declared severable.

This Ordinance shall be effective upon its adoption by the Village Council.

Adopted this the 9th day of March, 2004.



Mayor John H. Ross

Attest:



Village Clerk